



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

SEP 23 2008

### FINDING OF IMMINENT AND SUBSTANTIAL ENDANGERMENT

St. Louis County September 2008 Flood Response

St. Louis City, St. Louis County, Missouri

An imminent and substantial endangerment to the public health, welfare, or the environment exists at this location because of an actual or threatened release of a hazardous substance. This threat is due to multiple drums and containers of hazardous materials that have been displaced by a severe flash flood that hit the area on September 14, 2008. The containers are located primarily along flood plains of local creeks in St Louis County and St. Louis City.

#### I. SITE INFORMATION

Site Name:	St. Louis County September 2008 Flood Response
Site Number:	<b>A7M1</b>
CERCLIS ID:	<b>MON00705947</b>
Site Location:	St. Louis, Missouri
Access: <u>      </u> Restricted	<u>  X  </u> Unrestricted
NPL Status:	non-NPL
Category of Removal:	Emergency

#### II. THREAT TO THE PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT

##### A. Site Background

Tropical Depression Ike moved northeast across Missouri on September 13-14, 2008, producing torrential rains, severe flash flooding, and strong winds. The National Weather Service reported 4.58 inches of rain and a peak wind gust of 43 knots at the automated weather station located at St. Louis International Airport. Local news reported that approximately 800 residential homes and businesses were impacted. Of these 800 homes, approximately 275 have been condemned.

On September 15, 2008, the U.S. Environmental Protection Agency (EPA) was contacted by the Missouri Department of Natural Resources (MDNR) to assist in assessment of the damage. MDNR had reports by an Assistant Fire Chief of the city of Brentwood, Missouri,

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Superfund



that along Bompert Avenue fourteen 55-gallon drums and a ditch full of oil was present. After a quick assessment of the area, EPA requested funding through the Oil Spill Liability Trust Fund and began an oil cleanup of three areas determined to be impacted. In addition, EPA and MDNR retrieved one 55-gallon drum from a tributary of Deer Creek labeled as a flammable liquid. In the same log jam, a cage full of 30-gallon propane tanks was recovered. Assessment of the flood impacted areas continued. The EPA Superfund Technical Assessment and Response Team (START) Contract was tasked to perform assessment activities for hazardous materials. MDNR assisted with continued assessment. START assisted in assessing material described by a property owner as a "thick pink" liquid that had been dumped from a flood-impacted container onto her property. By September 18, EPA had identified and collected one 55-gallon drum of flammable liquids along with approximately 10 small containers of flammable and combustible liquids. START field characterized segregated and bulked the materials. On September 19, MDNR reported the discovery of 12 additional 55-gallon drums labeled as containing hazardous materials that had been displaced by the flood. That evening, the EPA Emergency and Rapid Response Services (ERRS) contractor mobilized to the site, and collected and staged the abandoned drums.

A facility named PB Laminations, Inc., located at 2940 Mary Avenue, Brentwood, Missouri, that was severely impacted by the flood, has claimed some of the 55-gallon drums that washed downstream from their facility. Several of the other drums that have been collected downstream from this facility appear to have come from this facility. A facility named Lee Biosolution, Inc., located at 2924 Mary Avenue, Brentwood, Missouri claims to use some of the materials present in the drums that washed downstream, but have indicated that all their drums are found. In addition, there were many businesses in multiple industrial parks located in areas severely impacted by flooding.

**B. Hazardous Substances Present**

Labels on drums and field screening have indicated various flammable and combustible liquids. These include: paint waste, paint, acetone, hexane, and a concrete curative named Conspec. Contents of drums and containers that have been recovered from areas impacted by flooding are characteristic hazardous waste as defined in 40 CFR § 261.21.

**C. Nature of Actual or Threatened Release of Hazardous Substances**

The drum is located in an unsecured location with accessibility to the public.

The following factors (from 40 CFR 300.415) were considered in determining the appropriateness of a removal action:

  X   Actual or potential exposure to nearby human populations, animals or food chain from hazardous substances or pollutants or contaminants (300.415[b][2][i]).

  X   Actual or potential contamination of drinking water supplies or sensitive ecosystems (300.415[b][2][ii]).

X   Hazardous substances or pollutants or contaminants in drums, barrels, tanks or other bulk storage containers, that pose a threat of release (300.415[b][2][iii]).

       High levels of hazardous substances or pollutants or contaminants in soils (300.415[b][2][iv]).

  X   Weather conditions that may cause hazardous substances or pollutants to migrate or to be released (300.415[b][2][v]).

  X   Threat or fire or explosion (300.415[b][2][vi]).

  X   The availability of other appropriate federal or state response mechanisms to respond to the release (300.415[b][2][vii]).

       Other situations or factors that may pose threats to the public health or welfare or the environment.

### **III.     SELECTED REMOVAL ACTION**

The selected action for this emergency response is to dispose of the contents of the container at an appropriate facility in compliance with CERCLA off-site policy.

### **IV.     PROPOSED ACTIONS AND ESTIMATED COSTS**

#### **A.     Estimated Costs**

##### Extramural Costs:

Contractor Costs	\$ 24,385
20% Contingency	<u>\$ 4,877</u>
Removal Ceiling	\$ 29,262

EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Refer to the enforcement section for a breakout of these costs.

### **V.     ENFORCEMENT**

The total EPA costs for this removal action based on full cost-accounting practices are estimated to be \$ 42,425.

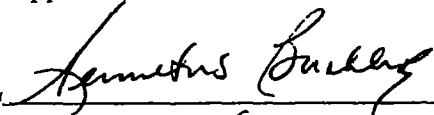
##### Intramural Costs

Direct Intramural Costs	\$ 3,000
EPA Indirect Costs (31.50% of all costs)	<u>\$ 10,163</u>
Total Project Costs	\$ 42,425

Direct costs include direct extramural and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost-accounting methodology effective October 2, 2000. These estimates do not include prejudgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

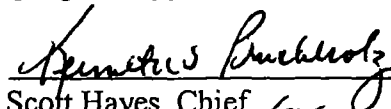
This finding of imminent and substantial endangerment has been entered into the administrative record for the site or incident.

Approvals:



J. Heath Smith  
On-Scene Coordinator

Date: 9/23/08



Scott Hayes, Chief  
Emergency Response & Removal Branch

Date: 9/23/08